



XM - 0025

7/B(1) NE

RECEIVED
10-25-02
OCT 24 2002
TECHNOLOGY CENTER 2800
MS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

S. Patsiokas

Serial No. 09/461,699

Filed: 12/14/1999

For: System And Method For Distributing
Music and Data

: Group Art Unit 2685

: Examiner: Marceau Milord

: Date: October 15, 2002

Please do not
enter
MM
11-5-02

Commissioner of Patents

and Trademarks

Washington, D. C. 20231

AMENDMENT AFTER FINAL REJECTION

RECEIVED
OCT 25 2002
Technology Center 2600

Sir:

In response to the Office Action September 11, 2002, please consider the following Remarks:

REMARKS

Claims 1 - 17 are presently pending. In the above-identified Office Action, the Examiner rejected the Claims under 35 U.S.C. § 103(a) as being unpatentable over Anderson (U. S. Patent 5,857,156) in view of Bravman *et al.* (U. S. Patent No. 5,393,965). Though not stated as a basis of rejection initially, Matsuura (U. S. Patent 6,075,568) was also relied on in the above noted rejection of the Claims under 35 U.S.C. § 103(a).

For the reasons set forth more fully below, reconsideration, allowance and passage to issue are respectfully requested.

As stated previously, the invention of the subject Application addresses the need in the art for an inexpensive system and method for distributing music, information and



AF/2685

Please type a plus sign (+) inside this box →

PTO/SB/21 (6-98)
Approved for use through 09/30/2000. OMB 0651-0031
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

6

Application Number

09/461,699

Filing Date

12/14/99

First Named Inventor

S. Patsiokas

Group Art Unit

2685

Examiner Name

Marceau Milord

Attorney Docket Number

XM 0025

RECEIVED
TECHNOLOGY CENTER 2600
OCT 21 2002

RECEIVED
OCT 25 2002
Technology Center 2600

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input checked="" type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below)
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Small Entity Statement	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Benman, Brown & Williams	
Signature		
Date	10/16/02	

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on this date: 10/16/02

Typed or printed name	Yasmin Emerson	
Signature		Date
	10/16/02	

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.